cedure. A third volume is promised on the *Formative Influences of Legal Development.*

The arrangement of the two volumes makes it possible to use the first volume as a real case-book, from which the evolution of legal principles may be worked out on the inductive method. As the selections deal with the laws of different periods and widely separated peoples, they furnish an excellent basis for a scientific study of comparative law, and a proper use of these volumes will go far toward redeeming comparative law from the stock reproach of superficiality and indefiniteness. The editors disclaim any particular metaphysical theory upon which the compilation has been made, but suggest as a working formula for its use, "the essential unity of human nature." Of course the philosopher is ready with his statement that one can never reach the universal through generalization from particulars, but the answer to this given by legalists, even the most enlightened and progressive, is that jurisprudence has a practical end in view, namely, the amelioration of our law, and the study of legal ethnology—about which most lawyers and students of law know little enough—seems to be the best means for attaining that end.

The most striking characteristic of the second volume is the interesting nature of its contents, and to the busy lawyer who has time only to read up the subject but not to study it intensively, it is suggested that the second volume should be read first and the selections of the other volume used, as is the illustrative case, to supplement the text.

Many of the selections in the second volume have been translated by Professor Kocourek and they are all well done. Most of the translations of the first volume are taken from the standard English translations. *The Twelve Tables* are translated by Dean Wigmore. The editors lay claim only to the modest title of compilers, but they certainly have the right to the credit of having made possible the application of the case-method of study in a new and fruitful field. J. H. D.

THE LAW OF ARREST IN CIVIL AND CRIMINAL ACTIONS, by Harvey Cortland Voorhees of the Boston Bar. Second Edition. Boston: Little, Brown and Company, 1915. Pp. xliii, 287.

This little book seems to have earned for itself in the ten years since its first appearance, the right to be called, what its author in the preface calls it, a *"vade mecum"* on this branch of the law.

The preface of the first edition, and more definitely that to the second, indicates that the author had in mind its usefulness to the police officer as quite as important as that to the practicing lawyer. The author has in mind the practical rather than the theoretical. It is essentially a manual, a book of rules rather than a treatise showing the development and application of principles.

It must be said of it that for what it purports to be it is to be commended both as to its plan and form of statement.

Few books attempt a formulation of the rules of law on any subject, however narrow, but some lawyer somewhere will be found objecting to

something in them. The reviewer is disposed to criticize the opening paragraphs of chapter XI, the one dealing with "Evidence." It opens with this statement: "An officer who, upon his own responsibility, makes an arrest without a warrant, is generally called upon to show that an offense was committed which justified him in arresting the offender," and "to establish the crime he has the burden of proving, beyond a reasonable doubt, all the elements which go to make up the offense."

This language would seem to indicate that the author had in mind that in an action by the arrested person against the person making the arrest for a claimed unjustified interference with his person, the officer can only defend with evidence that convinces beyond a reasonable doubt that a felony was committed. The cases cited are only to the point that crime must be established, when an issue in criminal cases, by such evidence. The rule is certainly to the contrary where the question of guilt is involved in a civil action.

If the author only intended to say that the rule for the proof of guilt in criminal cases was that it must be established beyond a reasonable doubt, he has failed in his usually simple and clear statement.

But though our searching may find something not quite satisfying the book as a whole is a very useful, and in the main reliable one giving evidence that the author has made excellent use of the suggestions gained through the experience of a decade with the book in the hands of the profession, and police officials. V. H. L.

COMPILED STATUTES OF THE UNITED STATES 1913, EMBRACING THE STATUTES OF THE UNITED STATES OF A GENERAL AND PERMANENT NATURE IN FORCE DECEMBER 31, 1913. Compiled by John A. Mallory, assisted by members of the publishers' editorial staff, St. Paul. West Publishing Company, 1914. 5 Vols. Pp. ciii, 5686.

This compilation is intended to succeed that of 1901 issued by the same publishers. The tremendous mass of new legislation on subjects old and new since 1901 alone would call imperatively for a new work. The publishers have taken advantage of this situation not only to incorporate the new matter but to some extent to rearrange and in many respects greatly to improve the compilation of the old matter. In the main the general scheme of arrangement of the 1901 compilation has been preserved in the present issue. But a renumbering of the sections was made almost necessarily, though the publishers have wisely put the old section number of the revised statutes in brackets immediately following the new section number. The repeal or superseding of old sections has been indicated by printing the word "superseded" or "repealed" after the appropriate numbers. The sections, moreover, are followed by historical notes indicating the legislative history of the section in question. These notes will undoubtedly prove great time and labor savers for the busy lawyer and in some instances they will certainly shed light upon the sections to which they are appended—a light, moreover, which the average busy lawyer would not be likely to obtain for himself. To mention a few such notes selected practically at random, attention may be called